

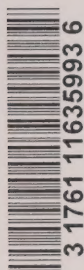


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# *Accessible Transportation Services for Persons with Disabilities*

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*A Staff Report to the  
National Transportation Act  
Review Commission*

*May 1992*



Canada

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## ACCESSIBLE TRANSPORTATION SERVICES FOR PERSONS WITH DISABILITIES

### EXECUTIVE SUMMARY

Section 3 of the *National Transportation Act, 1987 (NTA, 1987)* states that each carrier or mode of transportation is to provide service in a manner that does not constitute an undue obstacle to the mobility of persons, including persons with disabilities. Sections 63.1 to 63.4 of the *NTA, 1987* set out the National Transportation Agency's authority with respect to the transportation of persons with disabilities. This includes the authority to inquire into whether the way in which a service is being conducted creates an undue obstacle and to make regulations to eliminate undue obstacles in the transportation network governed by the *NTA, 1987*.

The Agency has a four-point program to carry out its statutory responsibilities with respect to accessible transportation. In the area of regulation development, the Agency is currently working on a number of initiatives which deal with terms and conditions of carriage of persons with disabilities, training standards for transportation personnel, communication of information and accessibility of equipment and terminal facilities.

Proposed regulations concerning training of personnel and terms and conditions for carriers operating large aircraft were published in the *Canada Gazette* in March 1992 for public comment.

With respect to complaint resolution, the Agency has dealt with over 50 formal applications, most of which relate to the air mode and to persons with mobility impairments. In 12 of these cases, the Agency identified an undue obstacle.

As for inquiries to determine if there is an undue obstacle to the mobility of persons with disabilities, the Agency has conducted or is in the process of conducting a number of these, including inquiries into the level of accessibility of motor coach, air and ferry services as well as of ground services at airports.

With respect to communications, monitoring and consultations, the Agency has active programs to inform persons with disabilities of their rights under the *NTA, 1987*, to monitor developments in transportation and to consult industry and groups representing persons with disabilities to obtain information on the effectiveness of accessible transportation initiatives.

American legislation relating to accessible transportation is comprised of two acts - the *Air Carrier Access Act* and the *Americans with Disabilities Act*. These acts are fundamentally



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different from Canadian transportation legislation in that they are based on a prohibition against discrimination and encompass all forms of transportation throughout the United States.

The proposed revision to section 3 of the *National Transportation Act, 1987* contained in the omnibus bill tabled on May 5, 1992 makes meeting the needs of travellers with disabilities an integral part of the national transportation policy.

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## INTRODUCTION

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The National Transportation Policy as stated in section 3 of the *National Transportation Act, 1987 (NTA, 1987)* stipulates that providers of transportation are to operate their services in such a way as to not impose undue obstacles to the mobility of persons, including persons with disabilities. The *NTA, 1987* gives the National Transportation Agency the responsibility for eliminating undue obstacles from the transportation system covered by the *NTA, 1987* (i.e. air, rail, ferry and CN Roadcruiser bus services).

Under section 63.3 of the *NTA, 1987*, the Agency may inquire into, hear and determine, on complaint or of its own motion, whether the manner in which a service is being provided to a disabled person creates an undue obstacle to the mobility of persons with disabilities. Where an undue obstacle is found, the Agency may order the carrier to pay out-of-pocket costs to the complainant arising from the undue obstacle and may also order corrective action to remove the undue obstacle from the transportation system.

The *NTA, 1987* also gives the Agency the authority, with the approval of the Governor in Council, to make regulations to eliminate all undue obstacles in the transportation network governed by the *NTA, 1987*. More specifically, section 63.1 gives the Agency the authority to regulate:

- fares and conditions of carriage of persons with disabilities;
- design, construction and modification of means of transportation, and related facilities and premises;
- training of personnel interacting with persons with disabilities;
- communication of information to persons with disabilities; and
- signage.

This staff report provides an overview of Agency activities since 1988 with respect to Accessible Transportation.



## ACCESSIBLE TRANSPORTATION SERVICES FOR PERSONS WITH DISABILITIES

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### BACKGROUND

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In Canada, protection of equality rights is provided under the *Canadian Human Rights Act* as well as in the Canadian Charter of Rights and Freedoms.

Over the past decade, persons with disabilities have become organized at the community, provincial and national levels, and with this has come an increased awareness of the need to strengthen human rights protection for Canadians with disabilities.

In response to these concerns, Parliament amended Bill C-18 to provide a system for regulating air, rail, ferry and CN Roadcruiser bus services similar in form but more explicit than the then existing system in the CTC. Parliament also amended the Bill to carry forward to the National Transportation Agency the CTC's authority to act in the area of fares, charges and conditions applicable to the provision of air services to persons with disabilities. In doing so, Parliament agreed that accessibility standards beyond terms and conditions would go under transportation legislation rather than human rights legislation.

At the time the *NTA, 1987* was enacted, although the Government had agreed that accessibility standards should be developed under transportation legislation, it had not yet decided whether accessibility regulations should be developed under modal transport legislation and who should be given the responsibility to enforce the standards.

As a result, when the *NTA, 1987* came into force on January 1, 1988, it gave the Agency only limited authority with respect to transportation services for persons with disabilities. It could only conduct investigations to determine whether an undue obstacle to the mobility of persons with disabilities exists and make regulations respecting the fares, charges and terms and conditions applicable to the provision of air services to persons with disabilities.

In July 1988, the *NTA, 1987* was amended to give the Agency powers with respect to accessibility standards for all modes under federal jurisdiction.

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## The Agency's Accessible Transportation Program

The Agency has a four-point program intended to eliminate undue obstacles from the federal transportation system:

1. regulation development
2. complaint resolution
3. inquiries
4. communications, monitoring and consultations

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## REGULATION DEVELOPMENT

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Pursuant to subsection 63.1(1) of the *NTA, 1987*, the Agency may, with the approval of the Governor in Council, make regulations for the purpose of eliminating undue obstacles in the transportation network governed by the *NTA, 1987* to the mobility of persons with disabilities. Under federal regulatory procedures, approval of the Governor in Council must be obtained twice; first, approval to publish regulatory proposals in Part I of the *Canada Gazette* in order to obtain final public comment; second, final approval after public comments have been received and any necessary changes made to the regulations. The Agency's regulatory proposals are transmitted by the Minister of Transport to the Governor in Council. At present, the Agency is in the process of developing a number of sets of regulations.

### Regulations Published for Public Comment in the *Canada Gazette*, Part I

- (i) Terms and Conditions of Carriage of Disabled Persons in Large Aircraft (30 seats or more)

These regulations establish the services to be provided to persons with a disability by Canadian carriers operating domestic services with large aircraft. These services represent largely "best practices" of the industry and cover services required by persons with disabilities during all stages of a journey. The services to be offered by carriers include: assistance in boarding and deplaning; transfer to wheelchair provided by the carrier and to the seat of the aircraft; carriage



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without charge of mobility aids; disassembling and reassembling mobility aids; and carriage without charge of a service animal in the cabin of the aircraft.

A number of conditions for receiving the services have been included at the request of carriers, including a requirement for advance notice and in some cases taking advantage of pre-boarding. The regulations will also require carriers to accept the determination made by a person with a disability that the person does not require any extraordinary service during the flight.

These proposed regulations were sent to the Minister of Transport on March 2, 1992 for transmittal to the Special Committee of Council for approval to publish in Part I of the *Canada Gazette* for public comment. They were published on March 21, 1992 and Agency staff are currently analyzing the comments being submitted by the public, industry and other interested parties.

### (ii) Training Standards for Transportation Personnel

These regulations will establish minimum training standards for the assistance of persons with disabilities by transportation personnel under federal jurisdiction (i.e. carrier personnel and personnel employed in transportation premises and facilities).

The proposal specifies that all employees dealing with the public must receive general awareness training on disability issues. In addition, employees providing physical assistance to passengers with disabilities, employees who are required to handle mobility aids (including disassembling and assembling) and employees who are required to handle special equipment must be trained in accordance with the requirements of their functions.

These proposed regulations were submitted to the Minister of Transport for transmittal to the Special Committee of Council on February 6, 1992. They were published in Part I of the *Canada Gazette* on March 21, 1992 and Agency staff are currently analyzing the comments being submitted.

### Other Regulations Under Development

#### (i) Special Air Fare Policy

The Agency has determined that it is an undue obstacle to the mobility of persons with disabilities to require payment of charges for the seat used by an assistant needed to provide



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services over and above those which a carrier must provide, or for an additional seat or seats to accommodate a disability. It is therefore drafting regulations that would abolish these charges for travel within Canada in large aircraft (30 seats or more).

These regulations were originally included with the terms and conditions of carriage. However, they have been separated from the terms and conditions, and additional consultations are being held with the Air Transport Association of Canada and with groups representing persons with disabilities.

It is expected that these proposed regulations will be submitted to the Minister during the fourth quarter of 1992.

### **(ii) Multi-Modal Equipment Accessibility**

The proposed regulations will cover accessibility features in transportation equipment in all modes of transportation under federal jurisdiction. The proposals are being developed in consultation with an advisory committee representing the disabled community, industry and federal government departments including Transport Canada. Two inquiries - one on ferries, the other on buses - are currently being undertaken and the results will be taken into consideration in the redrafting of the equipment standards. When these standards are amended, they will be distributed to the advisory committee members for comment prior to being submitted for Agency approval.

It is expected that these proposed regulations (with the possible exception of those dealing with buses) will be submitted to the Minister at the end of 1992.

### **(iii) Terms and Conditions of Carriage in Other Federal Modes of Transportation.**

These proposed regulations will standardize the services to be provided to passengers with disabilities in modes of transportation other than air under federal jurisdiction.

The proposals are being developed in consultation with an advisory committee representing the disabled community, industry and federal government departments including Transport Canada.

Submission of these proposed regulations to the Minister is not expected until the fourth quarter of 1992.

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### **(iv) Terms and Conditions of Carriage in Small Aircraft**

The Agency has committed to developing regulations for small aircraft (less than 30 seats) which will cover services as well as fares for assistants or for additional seats required to accommodate a disability.

Agency staff is currently completing an inquiry report into the manner in which carriers operating small aircraft accept persons with disabilities. This report will likely make recommendations on proposed regulations and will be provided to industry for comment.

It is expected that these proposed regulations will be submitted to the Minister in the first quarter of 1993.

### **(v) Communication of Information to Persons with Disabilities**

This initiative will standardize communication of information to those persons with sensory or cognitive impairments in all transportation modes under federal jurisdiction. Staff is currently developing draft regulations on this matter for consideration by the Agency.

Submission of these standards to the Minister is not expected until the summer of 1993.

### **(vi) Accessibility of Transportation Facilities (terminals)**

Agency staff is currently considering draft standards developed by Transport Canada, as well as the Canadian Standards Association Barrier-Free Design standards, to determine how they can be incorporated into a regulatory proposal to cover transportation terminals in all modes under federal jurisdiction.

It is expected that these proposed regulations will be submitted to the Minister in the fall of 1993.

### **Initial Progress**

There has been some criticism of the Government by groups that represent persons with disabilities for what is perceived as slow progress in the area of accessibility regulations. There have been a number of factors in the timing of the Agency's regulatory initiatives, including the fact that the promulgation of regulations is a complex process. It involves the issuance of a



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public notice of the proposed content and the entering into a consultative procedure with consumers, with associations of and for persons with disabilities and with the carriers, to ensure that the proposal meets the needs and requirements of persons with disabilities and can be implemented by the carriers. Following this consultative process, the drafting of the regulations is completed and the Agency then enters into consultation with the Privy Council Office and Treasury Board for their approval prior to submission to the Minister of Transport for transmittal to the Governor in Council. In addition, the regulations are the first of their kind in Canada.

Two actions have been taken to help advance the numerous regulatory initiatives being undertaken by the Agency. Pursuant to the National Strategy for the Integration of Persons with Disabilities in which transportation is identified as a priority area, the Agency has been allocated additional resources (a total of \$ 0.9 million and nine person years over the five-year term of the Strategy) to accelerate its regulatory program. Also, in response to the second report of the Standing Committee on Human Rights and the Status of Disabled Persons, the Government has indicated that passage of accessibility regulations under the *NTA, 1987* will be a priority.

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### COMPLAINT RESOLUTION

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The *NTA, 1987* provides for each carrier or mode of transportation, as far as practicable, to conduct its operations in such a way that its fares, rates and conditions do not constitute an undue obstacle to the mobility of persons with disabilities.

This policy applies to all transportation services which are under the authority of the *NTA, 1987*, and transportation equipment, facilities and terminals related to these transportation services.

Formal complaints to the Agency regarding obstacles to the mobility of a person with a disability are made under subsection 63.3(1) of the *NTA, 1987*. Should the Agency find that there is an undue obstacle, the Agency may order either or both of the taking of corrective measures or the payment of compensation for expenses arising out of the undue obstacle.

To date, the Agency has dealt with over 50 formal applications under section 63.3 of the *NTA, 1987*. (See Appendix 8.1.) Over 80 percent of all complaints relate to the air mode. (See

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Appendix 8.1.) Most complaints concern passengers with mobility impairments who encounter obstacles with air carriers, in airport terminals or with airport ground services.

In 12 of these over 50 applications, the Agency has identified an undue obstacle. Corrective measures have ranged from ordering carriers to change their policies with respect to persons with disabilities to ensuring airport terminals have adequate seating for disabled persons. (See Appendix 8.2.)

In several cases, complaints have revealed systemic problems in the transportation network resulting in national inquiries to address the issues raised.

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### **INQUIRIES**

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The Agency may, on application or of its own motion, inquire into a matter to determine whether there is an undue obstacle to the mobility of persons with disabilities. The Agency has conducted or is in the process of conducting a number of these inquiries.

(i) "The Road to Accessibility: An Inquiry into Canadian Motor Coach Services"

The Minister of Transport has asked the National Transportation Agency to conduct an inquiry into the level and adequacy of accessible services currently offered on extra-provincial motor coaches, the necessity of making services accessible in accordance with a national standard and the financial implications of doing so. Agency Chairman, the Honourable Erik Nielsen, is chairing the inquiry. Public hearings will be held throughout Canada and a report will be presented to the Minister early in 1993.

(ii) Ground Services at Airports

At the request of the Canadian Paraplegic Association, the Agency is inquiring into whether the equipment and services offered by automobile rental agencies, taxis, limousines and airport shuttle buses operating at or from Canadian airports constitute undue obstacles to the mobility of persons with disabilities. This inquiry should be completed in the summer of 1992.



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### **(iii) Policies of Canadian Air Carriers**

The Agency has initiated a comprehensive inquiry into the policies, standards and practices of all Canadian air carriers with respect to the transportation of persons with disabilities. The first part of the report dealing with operators of large aircraft (30 seats or more) has been circulated to interested parties. The second part dealing with the question of accessibility to small aircraft services (less than 30 seats) will be circulated later in 1992. Following the receipt and consideration of comments, the finalized report and its recommendations will be presented for Agency consideration.

### **(iv) Ferry Services**

In 1991, the Agency appointed three inquiry officers to determine the level of accessibility of federally-regulated ferry services. An interim report was released in January 1992 and circulated to interested parties for comment. Once comments have been received and analyzed, the Agency will consider a final report with recommendations.

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## **COMMUNICATIONS, MONITORING AND CONSULTATIONS<sup>1</sup>**

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The Agency has an active public communications program to inform Canadians with disabilities of their rights under the *NTA, 1987*. It has been equally active in monitoring developments in transportation, and in consulting industry and groups that represent persons with disabilities to provide the Agency with accurate information on the effectiveness of accessible transportation initiatives.

To foster an understanding of the Agency and its functions with respect to transportation services for persons with disabilities, staff have held meetings, consultations and information sessions with persons with disabilities and associations representing them, as well as with the transport industry and other governments including the United States' Government. Staff regularly deliver speeches and have participated in numerous exhibitions. In particular, Agency personnel were active members of the working group responsible for coordinating the federal exhibition at Independence '92. In addition, 15,000 brochures have been distributed explaining the Agency's powers in the area of accessible transportation and the complaint procedure in the case of an

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undue obstacle in the public transportation system, and a number of national surveys of providers of transportation services and of consumers and organizations of and for persons with disabilities have been conducted.

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### U.S. LEGISLATION

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Developments in the United States in the area of rights of persons with disabilities have been followed closely by the Canadian disabled community. Some believe that Canadian laws have lagged behind those of the U.S.

With respect to accessible transportation, American legislation is comprised of two acts (and their related rules): the *Air Carrier Access Act* and the *Americans with Disabilities Act*.

The *Air Carrier Access Act* was signed into law in October 1986. It prohibits discrimination on the basis of handicap by all air carriers and directs the Department of Transportation to promulgate a rule by a specified date to ensure non-discriminatory treatment of qualified handicapped individuals consistent with the safe carriage of all passengers on air carriers. This rule came into effect in April 1990 and includes general and administrative provisions as well as requirements concerning aircraft accessibility, terminal facilities and services to be provided to passengers with disabilities.

The *Americans with Disabilities Act* was signed into law in July 1990. It also prohibits discrimination on the basis of disability and deals with transportation, public and private sector employment, public accommodations and telecommunications relay services. The rule required to implement the transportation provisions of this Act came into effect in September 1991 and covers public transportation by rail, bus or any other conveyance (other than transportation by air, which is dealt with by the *Air Carrier Access Act*, and transportation by ferry, which is still under development) that provides the general public with general or special services on a regular and continuing basis.

As can be seen, there are a number of fundamental differences between American and Canadian legislation dealing with accessible transportation. In the U.S., the laws are based on a prohibition against discrimination and encompass all forms of transportation throughout the



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country. These laws also stipulate a time frame for the promulgation of rules to implement the provisions of the acts. In Canada, the *NTA, 1987* states that undue obstacles may be removed by the Agency through the imposition of corrective action either by order or by the development of regulations. In addition, this Act applies only to carriers under federal jurisdiction (i.e. carriers under provincial and municipal jurisdictions do not come under its purview) and does not stipulate deadlines for bringing regulations into force.

As well in Canada, equality rights are protected under the *Canadian Human Rights Act* and, as such, a person who feels discriminated against by a carrier under federal jurisdiction can complain to the Canadian Human Rights Commission. The Commission has the authority to order the payment of compensation to a person who has suffered in respect of feelings or self respect resulting from discrimination. In accordance with section 63.2 of the *NTA, 1987*, the Agency and the Commission are coordinating their activities relating to transportation services provided to persons with disabilities.

Since the Americans have already enacted their accessibility rules and since a certain degree of harmonization is required in the North American context, Agency staff are examining the U.S. legislation. Nevertheless, the Canadian regulations may exceed the American ones in some areas. One example would be the special air fare policy.

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### **FUTURE DIRECTION**

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In response to the Second Report of the Standing Committee on Human Rights and the Status of Disabled Persons, the Government announced in December 1990 that a comprehensive review of relevant legislation would be conducted. This review was to identify amendments required to ensure that all federal statutes and regulations are compatible with the objectives of equal access, economic integration and effective participation by persons with disabilities.

This legislative review was undertaken in consultation with the disability community, with the Canadian Disability Rights Council (CDRC) being given a mandate from groups representing persons with disabilities throughout Canada to coordinate input to the review. In a September 1991 report, the CDRC called on the Federal Government to amend a number of laws simultaneously by means of an omnibus bill.

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This omnibus bill was tabled on May 5, 1992. It proposes the amendment of six laws to improve the lives of persons with disabilities in a number of priority areas, including access to Canada's national transportation system. Specifically, it proposes that the *NTA, 1987* be amended by inserting the words "accessible" and "persons with disabilities" into the *NTA, 1987*'s declaratory clause so that it reads:

"...a safe, economic, efficient, and adequate network of viable and effective transportation services **accessible to persons with disabilities**...is essential to serve the transportation needs of shippers and travellers, **including persons with disabilities**..."

This revision makes meeting the needs of travellers with disabilities an integral part of the national transportation policy and emphasizes that access to transportation is a right of all Canadians.

In addition, the Government announced, when tabling the omnibus bill, that all of the additional recommendations dealing with transportation contained in the CDRC report would be considered by the National Transportation Act Review Commission. Major proposals in the CDRC package include amendments to the *NTA, 1987* to require the Agency to ensure that persons with disabilities have access to all modes of transport through the making of regulations to remove all obstacles. These regulations should be made within a specified time period but should not require the approval of the Governor in Council. The establishment of a three-member standing committee to re-examine the effectiveness of existing regulations and of an Accessibility Committee to administer an Accessible Transport Fund to be used for financial support for complainants and for the conduct of independent research are also suggested.

This omnibus bill and the Agency's accessible transportation program demonstrate the Government's commitment to break down the barriers to equal access to Canada's transportation network.

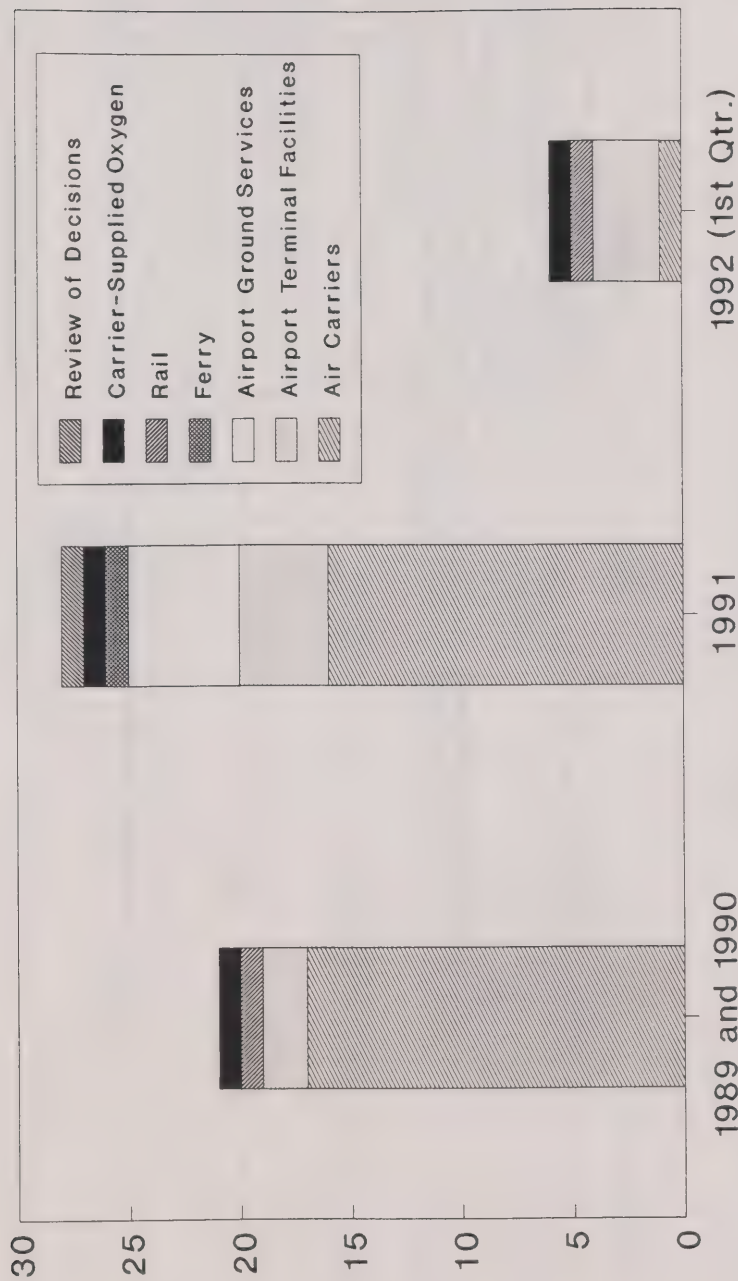




# Number of Complaints by Type 1989 to 1992

Type	1989 and 1990	1991	1992 (1st Qtr.)
Air Carriers	17	16	1
Airport Terminal Facilities	2	4	3
Airport Ground Services	0	5	0
Ferry	0	1	0
Rail	1	0	1
Carrier-Supplied Oxygen	1	1	1
Review of Decisions	0	1	0
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Total	21	28	6

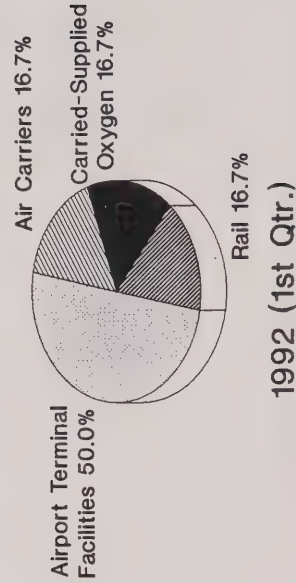
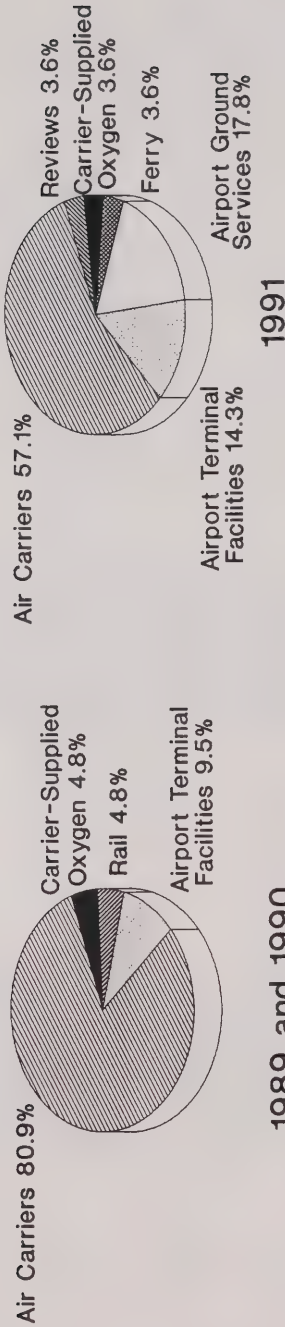
# Number of Complaints by Type 1989 to 1992



Comprehensive Review Staff Working Group  
National Transportation Agency of Canada  
Source: Agency statistics



# Number of Complaints by Type



# Decisions Taken by the National Transportation Agency where an Undue Obstacle was Found

Applicant	Complaint	Corrective Action
Cindy Trotter	The applicant was refused boarding by Canadian Partner (Ontario Express Ltd.)	By Order No. 1990-A-531 dated September 27, 1990, Ontario Express Ltd. was ordered to reverse its policy of refusing carriage of certain persons with disabilities on board small aircraft. The order also signified the Agency's intention to regulate the domestic air carriage of persons with disabilities in small aircraft and to establish minimum standards for the training of personnel of providers of transportation services, as well as to inquire into the policies of all Canadian air carriers regarding obstacles to the mobility of persons with disabilities.
William Hoch	The applicant was refused boarding by Canadian Partner (Ontario Express Ltd.)	In Decision No. 611-A-1990 dated December 5, 1990, the Agency states that, since Ontario Express Ltd. has agreed to comply with Order No. 1990-A-531 in respect of the Cindy Trotter application, no further corrective action need be taken. (This event took place prior to the issuance of the Cindy Trotter Order.)

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Applicant	Complaint	Corrective Action
<p>Neil Kelly</p>	<p>Due to inadequate signage at Pearson International Airport, Mr. Kelly's sister, who is disabled as a result of childhood polio, was required to stand for four hours while waiting for her flight.</p>	<p>By letter dated April 19, 1991, the Agency advised the applicant that Transport Canada had undertaken to install signs identifying seating and areas reserved for wheelchairs and travellers with disabilities.</p>
<p>Canadian National Institute for the Blind</p>	<p>The applicant requested an investigation into the inequities of service in the area of safety briefing material to passengers with visual disabilities.</p>	<p>By Orders No. 1991-A-340 and 341 dated June 25, 1991, Air Canada and Canadian Airlines International were ordered to provide, effective August 1, 1992, a reasonable number of copies of their safety briefing material in both braille and large print in addition to the personal safety briefing provided to passengers with visual disabilities. The carriers were further required to show cause why they should not also provide safety information on audio cassettes. The Agency is studying the carriers' replies.</p>
<p>Dr. K. Davey</p>	<p>The applicant was refused assistance to the washroom aboard an Air Canada flight.</p>	<p>By Decision No. 353-A-1991 dated July 3, 1991, Air Canada was instructed to make wheelchairs available on all aircraft equipped to store them and to provide assistance to the nearest on-board washroom facility for all persons with disabilities requiring such assistance.</p>



Applicant	Complaint	Corrective Action
Bernice Young	Mrs. Young's husband, who had a broken hip, was required to board an Ontario Express Ltd. aircraft unassisted.	In Decision No. 407-A-1991 dated July 23, 1991, the Agency states that, since Ontario Express Ltd. has agreed to comply with Order No. 1990-A-531 in respect of the Cindy Trotter application, no further corrective action need be taken. (This event took place prior to the issuance of the Cindy Trotter Order.)
George Reisman	The applicant was refused carriage by McIntosh Limousine Service at Pearson International Airport.	By Decision No. 453-MV-1991 dated August 20, 1991, McIntosh Limousine Service was ordered to provide transportation to all passengers with disabilities and to inform all of its drivers of this policy.
Applicant requested anonymity	The applicant claimed that the pick-up area assigned to Para-Transpo service at the Ottawa International Airport is located past the end of the protective canopy.	Since Transport Canada advised that it had investigated the matter and that the area in question was now fully covered by the canopy, the Agency decided that no further action was required.

Applicant	Complaint	Corrective Action
Rick Hansen	Canadian Airlines International did not deliver Mr. Hansen's wheelchair to the door of the aircraft upon arrival at Pearson International Airport's Terminal 3 causing him discomfort and indignity.	By letter dated November 22, 1991, the applicant was advised that, since the carrier had taken measures to correct the design flaw at the Terminal 3 gate area which was responsible for the undue obstacle at the time of the incident and since he was satisfied with the measures that had been taken, the Agency was terminating its consideration of the matter.
Tiina Runkla	Steep stairways, awkward handrails and the lack of elevators at the Halifax International Airport present an obstacle to the mobility of persons with disabilities.	An inspection of the airport by Agency and Transport Canada staff determined that the particular stairway in question had been removed and replaced by an elevator and that other improvements were being made by the authorities to facilitate accessibility. The applicant was advised by letter dated November 29, 1991 that, since the obstacle had been removed, no further corrective action was required.
Rachelle Halpenny	The applicant requested that an investigation be undertaken into Air Canada's procedures to ensure safe and timely handling of passenger-owned wheelchairs as well as into the quality and quickness of repairs to damaged wheelchairs while in the carrier's custody.	In Decision No. 596-A-1991 dated November 29, 1991, the Agency found that, although Air Canada's procedures for handling passenger-owned wheelchairs was an undue obstacle, there was no need at that time to order further remedial measures in light of undertakings by the carrier and its corrective strategy regarding improvement to the transportation of persons with disabilities. Also, the Agency requested Air Canada to submit a progress report on the on-going and proposed improvements one year following the date of the decision.

Applicant	Complaint	Corrective Action
<p>Mr. &amp; Mrs. W. Miles</p>	<p>The applicants received inadequate treatment from Canadian Airlines International with respect to the provision of wheelchairs and transportation to the baggage and customs areas at Terminal 3 and there are no seating accommodations, washroom facilities or emergency telephones available at the arrival gate.</p>	<p>By letter dated March 4, 1992, the applicants were advised that, as a result of subsequent actions by the carrier and the airport authority, no further corrective actions needed to be taken.</p>





This report is the eighth of a series:

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3. An Integrated and Competitive Transportation System: Meeting Shipper and Traveller Needs (ISBN -- 0-662-19524-8)
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